## House File 8 - Introduced

	HOUSE FILE BY WISE
Passed House, Date Vote: Ayes Nays Approved	Vote: AyesNays
	A BILL FOR

1 An Act concerning communications by employers concerning political and religious issues. 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 4 TLSB 1473YH 82 5 ak/gg/14

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- Section 1. <u>NEW SECTION</u>. 730.6 EMPLOYER COMMUNICATIONS. 1. As used in this section, unless the context otherwise 3 requires: 1
- 4 a. "Employee" means a natural person who is employed in 5 this state for wages by an employer, and includes a research 6 assistant, research fellow, teaching assistant, teaching 7 fellow, post=doctoral associate, post=doctoral fellow, intern, 8 or resident at a nonprofit institution of higher education 9 eligible for tuition grants, and an intern or resident at a 1 10 nonprofit hospital.
- 1 11 b. "Employer" means a person who in this state employs for 1 12 wages a natural person and includes an employer's agent, 1 13 representative, or designee.
- c. "Labor organization" means the same as defined in 1 14 1 15 section 216.2.
- d. "Political matters" includes political party 1 16 1 17 affiliation or the decision to join or not join any lawful 1 18 political, social, or community group or activity or any labor 1 19 organization.
- 1 20 2. An employer shall not require the employer's employees 21 to attend an employer=sponsored meeting or participate in any 22 communications with the employer, the primary purpose of which 1 23 is to communicate the employer's opinion about religious or 1 24 political matters, except that an employer may communicate to 25 employees information about religious or political matters 1 26 that the employer is required by law to communicate, but only 1 27 to the extent of such legal requirement.
- 28 3. An employer shall not discharge, discipline, or 29 otherwise penalize or threaten to discharge, discipline, or 1 30 otherwise penalize any employee because the employee, or a 31 person acting on behalf of the employee, makes a good faith 32 report, verbally or in writing, of a violation or suspected 1 33 violation of this section. This subsection shall not apply if 34 the employee knows that such report is false at the time the 35 report is made.
- 4. An employee alleging to be aggrieved by a violation of 2 this section may file a civil action within ninety days after 3 the date of the alleged violation in a court of competent jurisdiction in the county where the violation is alleged to 5 have occurred or where the employer has its principal office. 6 The court may award a prevailing employee all appropriate 7 relief, including reinstatement, back pay, and reestablishment 8 of any employee benefits to which the employee would otherwise 9 have been eligible if such violation had not occurred. The 2 10 court shall award a prevailing employee treble damages in an 2 11 amount up to three times the amount of all other damages  $\frac{1}{2}$ 2 12 awarded, reasonable attorney fees, and costs.
- 2 13 5. This section shall not be construed to limit an 2 14 employee's right to bring any other action allowed by law 2 15 against an employer for wrongful termination or to diminish or 2 16 impair the rights of a person under any collective bargaining 2 17 agreement. 17 agreement. 2 18
  - 6. This section shall not prohibit any of the following:
- 2 19 a. A religious organization from requiring its employees 2 20 to attend an employer=sponsored meeting or to participate in

2 21 any communications with the employer or its agents or 2 22 representatives, the primary purpose of which is to 2 23 communicate the employer's religious beliefs, practices, or 2 24 tenets.

- b. A political organization from requiring its employees 2 26 to attend an employer sponsored meeting or to participate in 27 any communications with the employer or its agents or 28 representatives, the primary purpose of which is to 2 29 communicate the employer's political tenets or purposes.
- 30 c. An institution of higher education from requiring 31 student instructors to attend lectures on religious or 2 32 political matters that are part of the regular coursework at 33 such institution.

## EXPLANATION

This bill relates to an employer's communications regarding 1 politics or religion to the employer's employees. The bill 2 prohibits an employer from requiring its employees to attend a 3 meeting or participate in communications with the employer 4 regarding the employer's opinion on religious or political 5 matters unless the employer is required to do so by law. The 6 bill prohibits an employer from discharging, disciplining, 7 otherwise penalizing, or threatening to discharge, discipline, 8 or penalize an employee for making a good faith report of a 3 9 violation or suspected violation by an employer. An employee 3 10 who has been aggrieved by a violation by an employer may file 3 11 a civil action against the employer for back pay, 3 12 reinstatement, reestablishment of benefits, treble damages up 3 13 to three times the amount of all other damages awarded, 3 14 attorney fees, and costs.

The provisions of the bill shall not prohibit a religious 16 organization or political organization from requiring 3 17 employees to attend meetings or participate in communications 3 18 with the employer concerning religious or political matters 19 respectively. The provisions of the bill shall also not 20 prohibit an institution of higher education from requiring 3 21 student instructors to attend lectures on religious or 22 political matters related to the student's regular coursework.

The bill provides definitions of "employee", "employer", 3 24 "labor organization", and "political matters".

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